

PTO/SB/08A (08-03)

Substitute for form 1449A/PTO

Complete if Known

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **1** of **12**

Application Number	10/612,109
Filing Date	July 1, 2003
First Named Inventor	EWERS, RICHARD C.
Art Unit	3761
Examiner Name	Unassigned
Attorney Docket Number	021496-002110US

U.S. PATENT DOCUMENTS+

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
MMA	1	2,201,610	05-21-1940	Dawson, Jr.	
	2	2,413,142	12-24-1945	Jones et al.	
	3	3,150,379	09-29-1964	Brown	
	4	3,166,072	01-19-1965	Sullivan, Jr.	
	5	3,494,006	02-10-1970	Brumlik	
	6	3,551,987	01-05-1971	Wilkinson	
	7	3,646,615	03-07-1972	Ness	
	8	3,664,345	05-23-1972	Dabbs et al.	
	9	3,753,438	08-21-1973	Wood et al.	
	10	3,867,944	02-25-1975	Samuels	
	11	3,874,388	04-01-1975	King et al.	
	12	3,910,281	10-07-1975	Kletschka et al.	
	13	3,976,079	08-24-1976	Samuels et al.	
	14	4,007,743	02-15-1977	Blake	
	15	4,060,089	11-29-1977	Noiles	
	16	4,069,825	01-24-1978	Akiyama	
	17	4,245,624	01-20-1981	Komiya	
	18	4,367,746	01-11-1983	Derechinsky	
	19	4,414,720	11-15-1983	Crooms	
	20	4,462,402	07-31-1984	Burgio	
	21	4,494,531	01-22-1985	Gianturco	
	22	4,532,926	08-06-1985	O'Holla	
	23	4,534,350	08-13-1985	Golden et al.	
	24	4,548,202	10-22-1985	Duncan	
	25	4,586,503	05-06-1986	Kirsh et al.	
	26	4,592,339	06-03-1986	Kumak et al.	
	27	4,592,356	06-03-1986	Gutierrez	
	28	4,595,007	06-17-1986	Mericle	
	29	4,610,250	09-09-1986	Green	
	30	4,669,473	06-02-1987	Richards et al.	
	31	4,705,040	11-10-1987	Mueller et al.	
	32	4,711,002	12-08-1987	Kreeger	
	33	4,724,840	02-16-1988	McVay et al.	
	34	4,750,492	06-14-1988	Jacobs et al.	
	35	4,765,335	08-23-1988	Schmidt et al.	
	36	4,832,055	05-23-1989	Palestrant	
	37	4,841,888	06-27-1989	Mills et al.	
	38	4,873,976	10-17-1989	Schreiber	
	39	4,890,615	01-02-1990	Caspari et al.	
	40	4,923,461	05-08-1990	Caspari et al.	
	41	4,929,240	05-29-1990	Kirsh et al.	

Examiner Signature		Date Considered	3-8-05
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			Filing Date	July 1, 2003	
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			Art Unit	3761	
Examiner Name	Unassigned				
Sheet	2	of	12	Attorney Docket Number	021496-002110US

U.S. PATENT DOCUMENTS+					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
M4	42	4,957,498	09-18-1990	Caspari et al.	
	43	5,032,127	07-16-1991	Frazee et al.	
	44	5,035,692	07-30-1991	Lyon et al.	
	45	5,037,433	08-06-1991	Wilk et al.	
	46	5,041,129	08-20-1991	Hayhurst et al.	
	47	5,059,201	10-22-1991	Asnis	
	48	5,088,979	02-18-1992	Filipi et al.	
	49	5,100,418	03-31-1992	Yoon et al.	
	50	5,108,420	04-28-1992	Marks	
	51	5,122,136	06-16-1992	Gugliemi et al.	
	52	5,123,914	06-23-1992	Cope	
	53	5,201,746	04-13-1993	Shichman	
	54	5,203,864	04-20-1993	Phillips	
	55	5,217,471	06-08-1993	Burkhart	
	56	5,217,473	06-08-1993	Yoon	
	57	5,222,508	06-29-1993	Contarini	
	58	5,222,961	06-29-1993	Nakao et al.	
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71	5,304,204	04-19-1994	Bregen		
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73	5,327,914	07-12-1994	Shlain		
74	5,330,503	07-19-1994	Yoon		
75	5,334,217	08-02-1994	Das		
76	5,342,376	08-30-1994	Ruff		
77	5,345,949	09-13-1994	Shlain		
78	5,354,298	10-11-1994	Lee et al.		
79	5,366,459	11-22-1994	Yoon		
80	5,366,479	11-22-1994	McGarry et al.		
81	5,372,146	12-13-1994	Branch		
82	5,372,604	12-13-1994	Trott		

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		Number Kind Code ² (if known)			
094H	83	5,374,275	12-20-1994	Bradley et al.	
	84	5,380,334	01-10-1995	Torrie et al.	
	85	5,382,231	01-17-1995	Shlain	
	86	5,395,030	03-07-1995	Kuramoto et al.	
	87	5,403,326	04-04-1995	Harrison et al.	
	88	5,403,329	04-04-1995	Hinchcliffe	
	89	5,417,691	05-23-1995	Hayhurst et al.	
	90	5,417,699	05-23-1995	Klein et al.	
	91	5,425,744	06-20-1995	Fagan et al.	
	92	5,429,598	07-04-1995	Waxman et al.	
	93	5,431,666	07-11-1995	Sauer et al.	
	94	5,433,721	07-18-1995	Hooven et al.	
	95	5,433,727	07-18-1995	Sideris	
	96	5,437,680	08-01-1995	Yoon	
	97	5,437,681	08-01-1995	Meade et al.	
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	99	5,458,609	10-17-1995	Gordon et al.	
	100	5,462,560	10-31-1995	Stevens	
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	102	5,465,894	11-14-1995	Clark et al.	
	103	5,470,337	11-28-1995	Moss	
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106	5,478,354	12-26-1995	Tovey et al.		
107	5,480,405	01-02-1996	Yoon		
108	5,496,332	03-05-1996	Sierra et al.		
109	5,496,334	03-05-1996	Klundert et al.		
110	5,499,991	03-19-1996	Garman et al.		
111	5,501,691	03-26-1996	Goldrath		
112	5,507,811	04-16-1996	Koike et al.		
113	5,520,691	05-28-1996	Branch		
114	5,520,701	05-28-1996	Lerch		
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116	5,527,321	06-18-1996	Hinchcliffe		
117	5,527,322	06-18-1996	Klein et al.		
118	5,527,342	06-18-1996	Pietrzak et al.		
119	5,531,759	07-02-1996	Kensley et al.		
120	5,531,788	07-02-1996	Dible et al.		
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122	5,549,621	08-27-1996	Bessler et al.		
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(use as many sheets as necessary)

Sheet **4** of **12**

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		Number Kind Code ² (if known)			
MJA	124	5,562,686	10-08-1996	Sauer et al.	
	125	5,562,688	10-08-1996	Riza	
	126	5,569,274	10-29-1996	Rapacki et al.	
	127	5,569,306	10-29-1996	Thal	
	128	5,571,116	11-05-1996	Bolanos et al.	
	129	5,571,119	11-05-1996	Atala	
	130	5,573,540	11-12-1996	Yoon	
	131	5,573,548	11-12-1996	Nazre et al.	
	132	5,578,045	11-26-1996	Das	
	133	5,582,616	12-10-1996	Bolduc et al.	
	134	5,584,835	12-17-1996	Greenfield	
	135	5,584,859	12-17-1996	Brotz	
	136	5,601,557	02-11-1997	Hayhurst	
	137	5,603,718	02-18-1997	Xu	
	138	5,613,974	03-25-1997	Andreas et al.	
	139	5,613,975	03-25-1997	Christy	
	140	5,626,588	05-06-1997	Sauer et al.	
	141	5,626,614	05-06-1997	Hart	
	142	5,630,540	05-20-1997	Blewett	
	143	5,632,752	05-27-1997	Buelna	
	144	5,643,274	07-01-1997	Sander et al.	
	145	5,643,295	07-01-1997	Yoon	
	146	5,643,317	07-01-1997	Pavcnik et al.	
	147	5,643,320	07-01-1997	Lower et al.	
	148	5,658,312	08-19-1997	Green et al.	
	149	5,658,313	08-19-1997	Thal	
	150	5,662,662	09-02-1997	Bishop et al.	
	151	5,662,663	09-02-1997	Shallman	
	152	5,665,109	09-09-1997	Yoon	
	153	5,665,112	09-09-1997	Thal	
	154	5,667,513	09-16-1997	Torrie et al.	
	155	5,679,005	10-21-1997	Einstein	
	156	5,683,417	11-04-1997	Cooper	
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158	5,690,655	11-25-1997	Hart et al.		
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161	5,702,421	12-30-1997	Schneidt		
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164	5,713,903	02-03-1998	Sander et al.		

Examiner Signature		Date Considered	3-8-06
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		Number Kind Code ² (if known)			
AMS	165	5,720,765	02-24-1998	Thal	
	166	5,724,978	03-10-1998	Tenhoff	
	167	5,725,552	03-10-1998	Kotula et al.	
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	177	5,792,152	08-11-1998	Klein et al.	
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	181	5,810,849	09-22-1998	Kontos	
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	183	5,810,853	09-22-1998	Yoon	
	184	5,814,070	09-29-1998	Borzone et al.	
185	5,817,110	10-06-1998	Kronner		
186	5,823,956	10-20-1998	Roth et al.		
187	5,824,011	10-20-1998	Stone et al.		
188	5,827,298	10-27-1998	Hart et al.		
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190	5,836,955	11-17-1998	Buelna et al.		
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192	5,843,084	12-01-1998	Hart et al.		
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194	5,846,261	12-08-1998	Kotula et al.		
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201	5,888,247	03-30-1999	Benetti		
202	5,891,168	04-06-1999	Thal		
203	5,893,856	04-13-1999	Jacobs et al.		
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MH	206	5,899,920	05-04-1999	DeSatnick et al.	
	207	5,899,921	05-04-1999	Caspari et al.	
	208	5,901,895	05-11-1999	Heaton et al.	
	209	5,916,224	06-29-1999	Esplin	
	210	5,925,059	07-20-1999	Palermo et al.	
	211	5,928,264	07-27-1999	Sugarbaker et al.	
	212	5,944,738	08-31-1999	Amplatz et al.	
	213	5,947,983	09-07-1999	Solar et al.	
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	216	5,954,732	09-21-1999	Hart et al.	
	217	5,961,440	10-05-1999	Schweich, Jr. et al.	
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	221	5,976,127	11-02-1999	Lax	
	222	5,976,158	11-02-1999	Adams et al.	
	223	5,976,159	11-02-1999	Bolduc et al.	
	224	5,980,558	11-09-1999	Wiley	
	225	5,984,933	11-16-1999	Yoon	
	226	5,993,476	11-30-1999	Groiso	
	227	6,013,083	01-11-2000	Bennett	
	228	6,027,523	02-11-2000	Schmieding	
	229	6,033,430	03-07-2000	Bonutti	
	230	6,045,497	04-04-2000	Schweich, Jr. et al.	
	231	6,045,573	04-04-2000	Wenstrom, Jr. et al.	
	232	6,050,936	04-18-2000	Schweich, Jr. et al.	
	233	6,053,935	04-25-2000	Brenneman et al.	
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	235	6,059,719	05-09-2000	Yamamoto et al.	
	236	6,074,401	06-13-2000	Gardiner et al.	
	237	6,077,214	06-20-2000	Mortier et al.	
	238	6,077,281	06-20-2000	Das	
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	240	6,079,414	06-27-2000	Roth et al.	
	241	6,086,600	07-11-2000	Kortenbach	
	242	6,110,183	08-29-2000	Cope	
	243	6,113,609	09-05-2000	Adams	
	244	6,113,611	09-05-2000	Allen et al.	
	245	6,119,913	09-19-2000	Adams et al.	
	246	6,149,658	11-21-2000	Gardiner et al.	
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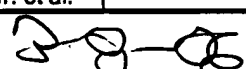
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		First Named Inventor	EWERS, RICHARD C.		
		Art Unit	3761		
Examiner Name	Unassigned				
Sheet	7	of	12	Attorney Docket Number	021496-002110US

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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
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	249	6,162,168	12-19-2000	Schweich, Jr. et al.	
	250	6,165,119	12-26-2000	Schweich, Jr. et al.	
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	253	6,171,320	01-09-2001	Monassevitch	
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	261	6,260,552	07-17-2001	Mortier et al.	
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	264	6,270,515	08-07-2001	Linden et al.	
	265	6,283,973	09-04-2001	Hubbard et al.	
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	272	6,322,563	11-27-2001	Cummings et al.	
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Examiner Signature				Date Considered	3-8-03

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	10/612,109
		Filing Date	July 1, 2003
		First Named Inventor	EWERS, RICHARD C.
		Art Unit	3761
		Examiner Name	Unassigned
Sheet 8 of 12	Attorney Docket Number	021496-002110US	

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Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number Kind Code ² (if known)			
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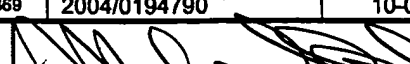
**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet **9** of **12****Complete if Known**

Application Number	10/612,109
Filing Date	July 1, 2003
First Named Inventor	EWERS, RICHARD C.
Art Unit	3761
Examiner Name	Unassigned
Attorney Docket Number	021496-002110US

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Examiner Signature			Date Considered	3-8-06	

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/612,109	
			Filing Date	July 1, 2003	
			First Named Inventor	EWERS, RICHARD C.	
			Art Unit	3761	
Examiner Name	Unassigned				
Sheet	10	of	12	Attorney Docket Number	021496-002110US

U.S. PATENT DOCUMENTS+						
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		Number	Kind Code ² (if known)			
N/A	370	H2037	H	07-02-2002	Yates et al.	
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	374	EP	0 847 727	A1	06-17-1998	Kammere et al.		<input type="checkbox"/>
	375	EP	1 031 321	A1	08-30-2000	Grafton et al.		<input type="checkbox"/>
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	377	GB	2 165 559	A	04-16-1986	Mills et al.		<input type="checkbox"/>
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Examiner Signature		Date Considered	3-8-06
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			Application Number	10/612,109	
			Filing Date	July 1, 2003	
			First Named Inventor	EWERS, RICHARD C.	
			Art Unit	3761	
Examiner Name	Unassigned				
Sheet	11	of	12	Attorney Docket Number	021496-002110US

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	407	WO	2004/019788	A2	03-11-2004	Devries et al.		<input type="checkbox"/>
	408	WO	2004/021865	A2	03-18-2004	Zirps et al.		<input type="checkbox"/>
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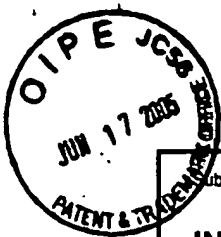
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		Application Number	10/612,109		
		Filing Date	July 1, 2003		
		First Named Inventor	EWERS, RICHARD C.		
		Art Unit	3761		
		Examiner Name	Unassigned		
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Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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PTO/SB/08A (08-03)

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Sheet	1	of	3	Attorney Docket Number	021496-002110US


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		Number	Kind Code ² (if known)			
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Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
MJA	22	WO	02/060328	A1	08-08-2002	Rex Medical, Inc.		<input type="checkbox"/>
	23	WO	03/092509	A1	11-13-2003	Scimed Life Systems, Inc.		<input type="checkbox"/>
	24	WO	03/094785	A1	11-20-2003	Egan		<input type="checkbox"/>
	25	WO	03/105732	A1	12-24-2003	Cancel et al.		<input type="checkbox"/>
	26	WO	2004/004542	A2	01-15-2004	Satiety, Inc.		<input type="checkbox"/>
	27	WO	2004/019788	A2	03-11-2004	Scimed Life Systems, Inc.		<input type="checkbox"/>
	28	WO	2004/021894	A1	03-18-2004	Kelleher		<input type="checkbox"/>
	29	WO	2004/056273	A1	07-08-2004	Scimed Life Systems, Inc.		<input type="checkbox"/>
	30	WO	2004/084808	A2	10-07-2004	The Research Foundation of State University of New York		<input type="checkbox"/>
	Examiner Signature					Date Considered		

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)			Complete if Known		
			Application Number	10/612,109	
			Filing Date	July 1, 2003	
			First Named Inventor	EWERS, RICHARD C.	
			Art Unit	3761	
Examiner Name	Unassigned				
Sheet	2	of	3	Attorney Docket Number	021496-002110US

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)				
MA	31	WO	2004/103189	A1	12-02-2004	C.R. Bard, Inc.		<input type="checkbox"/>
	32	WO	2005/004727	A1	01-20-2005	Endogun Medical Systems, Ltd		<input type="checkbox"/>
	33	WO	2005/037072	A2	04-28-2005	Esophyx, Inc		<input type="checkbox"/>
	34	WO	2005/037152	A1	04-28-2005	Synecor, LLC		<input type="checkbox"/>

Examiner Signature		Date Considered	3-8-08
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Substitute for form 1448B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/612,109		
		Filing Date	July 1, 2003		
		First Named Inventor	EWERS, RICHARD C.		
		Art Unit	3761		
Examiner Name	Unassigned				
Sheet	3	of	3	Attorney Docket Number	021496-002110US

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
ML	35	CHUTTANI et al., "A Novel Endoscopic Full-thickness Plicator for Treatment of GERD: An Animal Model Study," <i>Gastrointestinal Endoscopy</i> , Vol. 26, No. 1, (2002), pp. 116-122.	
	38	MASON, "Development of Future of Gastroplasties for Morbid Obesity," <i>Arch Surg</i> , Vol. 138 (April 2003), pp. 362-366.	

Examiner Signature		Date Considered	3-9-06
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